

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 10/751,270
Filing Date: December 30, 2003

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PRELIMINARY REMARKS

The face of the Office Action indicates claim 1, 2, 14-24 and 31-36 are pending in the application. But the Applicant believes claims 1-12, 14-24, and 31-36 are pending. Clarification is sought.

§103 Rejection of the Claims

Claims 1, 2, 4, 5, 7, 10-12, 14, 15 and 17-19 were rejected under 35 USC § 103(a) as being unpatentable over Jacobson et al. (U.S. 6,517,995) in view of West et al. (US 4,828,965) in view of Suda et al. (U.S. 4,731,855) and Kamieniecki et al. (U.S. 5,661,408). The Applicant respectfully traverses this rejection and requests the Office to consider the following.

The Office Action states at page 2:

2. Claims 1, 2, 4, 5, 7, 10-12, 14, 15, 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al in view of West et al (US 4828965), further in view of Suda et al (US 4731855) and Kamieniecki et al (US 5661408).

Jacobson et al is applied here for the same reasons as set forth in paragraph 8 of the Office Action mailed on 7/26/2007.

(Emphasis in underline added). Regarding the underlined portion, the Applicant can find no Office Action of that mailing date. The Applicant believes this communication is therefore indeterminate and incomplete and the Applicant requests clarification including resetting the period to respond after clarification by the Office.

Claims 1, 2, 4-12, 14-20 and 31-36 were also rejected under 35 USC § 103(a) as being unpatentable over Carter (U.S. 6,730,617) in view of Suda et al. and Kamieniecki et al.

The Office asserts the previous amendments “do not change the scope of the claimed invention.” The Applicant disagrees, and believes that “substrate” is broader than “PWB”. The Applicant believes therefore the scope of the claimed invention is changed. Withdrawal of the rejection is respectfully requested.

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Claims 3, 6, 20 and 31-33 were also rejected under 35 USC § 103(a) as being unpatentable over Jacobson et al. in view of Suda et al. and Kamieniecki et al., and further in view of Bulthaup et al. (U.S. 6,936,181).

Because this rejection also cites to Jacobsen, the Applicant believes this rejection to be indeterminate and incomplete and the Applicant requests clarification including resetting the period to respond after clarification by the Office.

Claim 3 was also rejected under 35 USC § 103(a) as being unpatentable over Jacobson et al. in view of Suda et al. and Kamieniecki et al./Carter, and further in view of Walter (US 4099913).

Because this rejection also cites to Jacobsen, the Applicant believes this rejection to be indeterminate and incomplete and the Applicant requests clarification including resetting the period to respond after clarification by the Office.

Claims 6, 8, 9, 16, 20, 31, 32 and 34-36 rejected under 35 USC § 103(a) as being unpatentable over Jacobson et al. in view of Suda et al. and Kamieniecki et al., and further in view of Carter.

Because this rejection also cites to Jacobsen, the Applicant believes this rejection to be indeterminate and incomplete and the Applicant requests clarification including resetting the period to respond after clarification by the Office.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are

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relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((503) 712-3485) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0221.

Respectfully submitted,

SAIKUMAR JAYARAMAN

By his Representatives,

Customer Number: 59796

Date: January 27, 2009

By


John N. Greaves

Reg. No. 40,362

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited either via facsimile or via the United States Postal Service addressed to: MS Amendment, United States Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of January 2009.

Kyrstin Ryan
Name

/Kyrstin Ryan/
Signature